

Appl. No. 09/998,513
Amdt. dated March 31, 2005
Reply to final Office action of January 11, 2005

REMARKS/ARGUMENTS

Claims 1-9 were rejection under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended independent claim 1 in view of the Examiner's constructive comments and as amended it is believed that independent claim 1 is in condition to overcome the noted rejection. Claims 2-9 are also believed to be in condition to overcome the noted rejection, since they depend on claim 1.

Claims 1-4, 8-13, 17-19 and 23-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker (U.S. Patent No. 6,366,930 B1).

Independent claim 1 has been amended to recite "computing a transformation operator immediately upon the new version being saved, the transformation operator is indicative of the differences between the original version of the file and the new version." Support for this amendment can be found for example at page 8, paragraph 21. The cited Parker reference fails to teach or suggest this claim limitation. In Parker the "Deltas" are calculated at predetermined time intervals based on a schedule. See for example in col. 1, lines 9-13 where it is stated that "The present invention ... periodically (emphasis added) inventories a plurality of hardware, software and data files" Since Parker is schedule based, it would not preserve multiple, successive modifications to an individual file that may be performed between the scheduled executions of the delta calculations. It would only capture the "net" modifications performed upon a file at the scheduled instant when the delta calculation is performed, hence, multiple intervening file revisions could be missed. Given Parker's failure to teach or suggest such claim limitation, it is believed that claim 1 and dependent claims 2-4 and 8-9 are in condition for allowance.

Independent claim 10 has been amended to recite "retrieving a transformation operator which was generated when the new version of the file was saved, the transformation operator is indicative of the differences between the original version of the file and the new file version." It is believed that independent claim 10 as amended is also believed to be in condition for allowance given the

**Appl. No. 09/998,513
Amdt. dated March 31, 2005
Reply to final Office action of January 11, 2005**

arguments previously presented above. Dependent claims 11-13 which add further nonobvious features to claim 10 are also believed to be in condition for allowance.

Independent claim 17 has been amended to now recite in part, "a non-volatile storage device coupled to said processor, said storage device containing files and containing a transformation operator which is indicative of the differences between a first version of a file and a second or newer version of the file, the transformation operator having been generated when the newer version of the file was saved." Again, as previously mentioned above, the cited Parker reference fails to teach or suggest such a claim limitation, and as such, claim 17 is believed to be in condition for allowance. Dependent claim 18-19 and 23-24 are also believed to be in condition for allowance.

Independent claim 25 has been amended to recite that the second transformation operator is generated when the third version is saved, as previously discussed the cited Parker fails to teach or suggest this claim limitation, therefore claim 25 is believed to be in condition for allowance. Dependent claim 26 which depends on claim 25 is also believed to be in condition for allowance.

Claims 5-7, 14-16, 20-22 and 27-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker (U.S. Patent No. 6,366,930 B1) in view of Lash (Pub. No. US 2002/0188665 A1). These dependent claims add further features to the previously discussed independent claims, given that their corresponding independent claims have been amended as previously discussed and are believed to be in condition for allowance, these dependent claims are also believed to be in condition for allowance.

Applicant respectfully requests reconsideration and allowance of the pending claims 1-29. If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a

**Appl. No. 09/998,513
Amdt. dated March 31, 2005
Reply to final Office action of January 11, 2005**

particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



Pedro P. Hernandez
PTO Reg. No. 35,190
CONLEY ROSE, P.C.
(972) 731-2288 (Phone)
(972) 731-2289 (Fax)
ATTORNEY FOR APPLICANT

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
Legal Dept., M/S 35
P.O. Box 272400
Fort Collins, CO 80527-2400